

LEON S. AVAKIAN, INC. *Consulting Engineers*

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January 20, 2022

Borough of Bradley Beach
Land Use Board
701 Main Street
Bradley Beach, NJ 07720

**Re: Rajput & Riola Application
Block 25, Lot 19
110 Ocean-Park Avenue
Our File BBBA 16-12**

Dear Chairman and Board Members:

Our office has received and reviewed an application submitted for Board approval in connection with the above referenced project. Submitted with the application are the following:

- A site plan consisting of one (1) sheet prepared by Daniel W. Caruso, P.E., of Landmark Surveying and Engineering, Inc., dated November 24, 2021, with no revisions.
- A survey of property consisting of one (1) sheet prepared by Ronald W. Post, P.L.S. of Ronald W. Post Surveying, Inc., dated January 15, 2018, with the latest revisions dated December 14, 2021.

Our office has reviewed the plans to determine if they conform with the requirements of the Borough Ordinance and report as follows:

1. Project Description

- A. The property is located on the north side of Ocean-Park Avenue between Beach Avenue and Ocean Avenue (Block 25, Lot 19) with a total area of 4,375 square feet.
- B. The existing lot contains a newly constructed two-family dwelling with attached garage.
- C. In January 2017, the Applicant was granted variances from the Board for covered second floor upper porch, third floor covered upper porch, side yard setback, third story building coverage, driveway setback, curb cut, driveway apron width, and driveway width.
- D. The Applicant is proposing a paver patio in the rear yard consisting of approximately 850 square feet.

2. **Zoning and Land Use**

- A. The property is located in the Residential Beachfront Zone (RB) and the existing two-family dwelling is a permitted principal use in this zone.
- B. The proposed improvements require Board approval for variances on side and rear yard setbacks to patio, impervious coverage and others as described in this report.

3. **Variances and Waivers**

- A. In accordance with Section 450-13, permitted yard encroachments, the following variances or existing non-conformities are noted below:

- 1) In accordance with Section 405-13.B.(3), (upper porches, height), no upper porch floor is allowed above the lowest second floor walking surface elevation. The Applicant was granted a variance for the third-floor covered porch.
- 2) In this Section 405-13.B.(4), (upper porches, enclosures), an upper porch shall not be covered. The Applicant was granted a variance for the covered second floor upper porch.
- 3) In accordance with Section 450-13.F.(2), (patio, setbacks), patios are not allowed to encroach into any principal dwelling setback requirements and shall never be closer than 5 feet of any side yard property line, nor closer than 5 feet to any rear yard property line. No patio shall extend beyond the side building line.

The permitted side yard setback is 3.5 feet on one side and 7.0 feet on the other side. The permitted rear yard setback is 25 feet.

The Applicant is proposing a side patio setback of 0.92 feet on the west side and 2.77 feet on the east side. **A variance is required for both side setbacks.**

The Applicant is proposing a rear patio setback of 1.09 feet. **A variance is required.**

- B. In accordance with Section 450-28.D.(1)(a), area, yard, and building requirements for two-family dwelling are subject to the requirements and limitations in Section 450-26.D. The following variances or existing non-conformities are noted below:
 - 1) In accordance with Section 450-26.D.(1)(a), the minimum lot area permitted is 5,000 square feet. The existing lot area is 4,375 square feet, which represents an existing non-conformity.

- 2) In accordance with Section 450-26.D.(1)(b), the minimum lot width permitted is 50 feet. The existing lot width is 35 feet, which represents an existing non-conformity.
- 3) In accordance with Section 450-26.D.(1)(e), the minimum side yard setback permitted is 5 feet and 10 feet, but for lots not meeting the minimum lot width requirement, shall be 10% (3.5 feet) and 20% (7 feet) of the lot. The Applicant was granted a variance for the west side yard setback of 5.1 feet.
- 4) In accordance with Section 450-26.D.(1)(g) the maximum building height is 35 feet (2 ½ stories). The Applicant was granted a variance for the third story.
- 5) In accordance with Section 450-26.D.(1)(h), the maximum building coverage permitted is 35%. The Applicant was granted a variance for a building coverage of 43.7%.
- 6) In accordance with Section 450-26.(1)(i), the maximum impervious coverage permitted is 60%. The existing impervious coverage is 59.9%, which conforms. The Applicant is proposing an impervious coverage of 82.74%. **A variance is required.**

C. In accordance with Section 450-41.A, Residential parking and driveway requirements for one- and two-family uses, the following variances or existing non-conformities are noted below:

- 1) In accordance with Section 450-41.A(1), driveways and parking areas installed for one- and two-family dwellings shall be a minimum of eight feet in width inside the property lines and shall be located a minimum of three feet from a side lot line. The Applicant was granted a variance for no east side driveway setback.
- 2) In accordance with Section 450-41.A.(2), curb cuts shall be a maximum of 12 feet in width. Driveway aprons shall be a maximum of 10 feet in width at the property line and 12 feet in width at the curbline. The Applicant was granted a variance for a curb cut of 36.5 feet and a driveway apron width at the property line of 29.9 feet.
- 3) In accordance with Section 450-41.A.(3), driveways and parking areas located in the front yard shall not exceed a width of 12 feet, which area shall consist of impervious pavement to be used for off-street parking. The Applicant was granted a variance for a driveway width of 29.9 feet.

4. Drainage and Grading

- A. The grading of the proposed patio is directing stormwater runoff onto adjacent properties, which is not allowed. The Applicant should revise the grading of the patio. The Applicant should provide testimony on grading and stormwater runoff.

5. General Comments

- A. The Applicant should provide information that taxes are currently paid.
- B. The Applicant shall secure any and all construction permits needed for the project.
- C. The Applicant should provide a driveway apron and sidewalk detail.

Our office reserves the right to provide additional comments upon receipt of revised plans.

If you have any questions, or require any additional information on this matter, please do not hesitate to contact our office.

Very truly yours,

LEON S. AVAKIAN, INC.



Gerald J. Freda, P.E., P.P.
Board Engineer

DMH:mfl

cc: Kristie Dickert, Board Secretary
Mark Kitrick, Esq., Board Attorney
Barbara Riola & Marlene Rajput, Applicant
BB/PB/16/16-12a